

**THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 13, 2007**

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Black, Mortimer. Total -- 2.

Total -- 70.

Prayer was offered by Representative Moyle.

The Pledge of Allegiance was led by Anthony Madrid, Page.

Approval of Journal

February 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 13, 2007

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 7** and **H 73** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 7

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 34 through 41 and on page 2, delete lines 1 through 7 and insert:

"(5) "Committee" means the Idaho streamlined sales tax committee established in section 63-4504, Idaho Code.

(6) "Person" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

(7) "Sales tax" means the tax levied by section 63-3619, Idaho Code, and local sales taxes levied in accordance with chapter 26, title 63, Idaho Code, chapter 10, title 50, Idaho Code, section 67-4718, Idaho Code, or section 67-4917B, Idaho Code.

(8) "Seller" means any person making sales, leases, or rentals of personal property or services.

(9) "State" means any state of the United States and the District of Columbia.

(10) "Use tax" means the tax levied by section 63-3621, Idaho Code, and local sales taxes levied in accordance with chapter 26, title 63, Idaho Code, chapter 10, title 50, Idaho Code, section 67-4718, Idaho Code, or section 67-4917B, Idaho Code."

On page 2, delete lines 15 through 46 and insert:

"63-4504. IDAHO STREAMLINED SALES AND USE TAX COMMITTEE – ORGANIZATION AND DUTIES. For the purposes of reviewing or amending the agreement embodying the simplification requirements in section 63-4507, Idaho Code, the state shall enter into multistate discussions. For the purpose of these discussions, the state shall be represented by the Idaho streamlined sales and use tax committee. The committee shall be composed of two (2) members from the senate, appointed by the president pro tempore and two (2) members of the house of representatives appointed by the speaker of the house of representatives who shall jointly appoint one (1) of their members chairman. The chairman or his designee shall act as the spokesman for the committee and the state in meetings and discussions relating to the streamlined sales and use tax agreement. The chairman shall appoint five (5) additional members who shall cumulatively represent large and small retailers selling by fixed outlets, mail, telephone or the internet. The chairman of the state tax commission, or a member of the state tax commission that he may designate, shall be an ex officio nonvoting member of the committee. The committee shall consult with the commission before any multistate discussions in which it is anticipated that amendments may be proposed to the agreement embodying the simplification requirements in section 63-4507, Idaho Code.

63-4505. AUTHORIZATION FOR AGREEMENT. The committee shall enter into the streamlined sales and use tax agreement and the streamlined sales tax project with one (1) or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the agreement, the committee may act jointly with other states that are members of the agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers. The committee is further authorized to take other actions reasonably required to implement this chapter. Other actions authorized by this section include, but are not limited to, the adoption of rules and the joint procurement, with other member states, of goods and service, in furtherance of the

cooperative agreement."

On page 4, delete lines 42 through 46 and insert:

"63-4511. NECESSARY REMEDIAL LEGISLATION.

The commission shall prepare draft legislation conforming state law to the requirements of the streamlined sales and use tax agreement and shall provide such legislation to the committee. The committee shall provide the draft legislation, together with its recommendation relating thereto, to the governor and to the senate local government and taxation committee and the house of representatives revenue and taxation committee."

CORRECTION TO TITLE

On page 1, delete line 5 and insert: "ESTABLISH AN IDAHO STREAMLINED SALES AND USE TAX COMMITTEE, TO AUTHORIZE THE COMMITTEE TO"; and delete lines 10 through 12 and insert: "AGREEMENT, TO PROVIDE FOR CERTIFIED SERVICE PRODUCERS, TO PROVIDE FOR PROPOSED LEGISLATION TO IMPLEMENT THE PROVISIONS OF THE STREAMLINED SALES AND USE TAX AGREEMENT AND TO PROVIDE FOR DISTRIBUTION OF THE PROPOSED LEGISLATION; AND DECLARING AN EMER-".

HOUSE AMENDMENT TO H 73

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 18, delete "or any person who is fifty"; in line 19, delete "(50) years of age or older"; in line 23, delete "or any person who is fifty"; in line 24, delete "(50) years of age or older"; in line 39, delete "or any person who is fifty (50) years of"; in line 40, delete "age or older"; on page 2, in line 14, delete "or any person who is fifty (50) years of age or"; and in line 15, delete "older".

CORRECTION TO TITLE

On page 1, in line 3, delete "TO PROHIBIT THE EXPLOITATION OF PERSONS FIFTY"; in line 4, delete "YEARS OF AGE OR OLDER,"; in line 5, delete "LIMIT APPLICATION IN CERTAIN CIR-" and delete line 6 and insert: "REVISE WORDING REGARDING LIMITED APPLICATION."

BEDKE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the report adopted.

H 7, as amended, and **H 73**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the

Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

February 12, 2007

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 29

/s/ Very truly yours,
C. L. "BUTCH" OTTER
Governor

February 12, 2007

Mr. Speaker:

I transmit herewith enrolled **SCR 101** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 101** and, when so signed, ordered it returned to the Senate.

February 12, 2007

Mr. Speaker:

I return herewith enrolled **H 16** which has been signed by the President.

WOOD, Secretary

Enrolled **H 16** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 12, 2007

Mr. Speaker:

I transmit herewith **SCR 104, S 1057, S 1047, S 1048, and S 1062** which have passed the Senate.

WOOD, Secretary

SCR 104, S 1057, S 1047, S 1048, and S 1062 were filed for first reading.

February 12, 2007

Mr. Speaker:

I return herewith **H 37, H 38, and H 77** which have passed the Senate.

WOOD, Secretary

H 37, H 38, and H 77 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 170, H 171, H 172, H 173, H 174, H 175, H 176, H 177, H 178, H 179, H 180, and H 181.**

CLARK, Chairman

H 170 was referred to the Resources and Conservation Committee.

H 171, H 172, H 173, H 174, H 175, and H 176 were referred to the Judiciary, Rules, and Administration Committee.

H 177, H 178, H 179, H 180, and H 181 were referred to the Revenue and Taxation Committee.

February 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 35 and H 36.**

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 35 and H 36**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 8, H 9, H 12, H 13, H 15, H 17, and H 22** to the Governor at 12 p.m., as of this date, February 12, 2007.

CLARK, Chairman

February 12, 2007

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 116** and recommend that it do pass.

BARRETT, Chairman

H 116 was filed for second reading.

February 12, 2007

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 56, H 43, and H 44** and recommend that they do pass.

TRAIL, Chairman

H 56, H 43, and H 44 were filed for second reading.

February 12, 2007

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 5 and S 1017**, as amended, and recommend that they do pass.

BLOCK, Chairman

H 5 and S 1017, as amended, were filed for second reading.

February 12, 2007

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HJM 1** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

HJM 1 was placed on General Orders for consideration.

February 13, 2007

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 141 and H 142** and recommend that they do pass.

LAKE, Chairman

H 141 and H 142 were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 104, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

House of Representatives
State of Idaho

February 12, 2007

The Honorable Jo An Wood, Chairman
Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee for the purpose of introducing RS 16168 and 16170 on Tuesday, February 13, 2007.

Sincerely,
/s/ LAWRENCE DENNEY
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Fifty-ninth Idaho Legislature. Seconded by Ms. Jaquet.

Pages:

Ashley Bertsch
 Jamie Cox
 Jesse Daniels
 Micah Delbridge
 Marcus Heleker
 Stephen Heleker
 Neal Hoopes

Anthony Madrid
 Stacie Monaghan
 Jason Richter
 Austin Schaeffer
 Shaye Seward
 Allison Shaffer
 Jacob Uhlenkott

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

**Introduction, First Reading, and Reference
 of Bills and Joint Resolutions**

**HOUSE BILL NO. 182
 BY EDUCATION COMMITTEE
 AN ACT**

RELATING TO NOTICE REQUIREMENTS FOR SCHOOL DISTRICT AFFAIRS; AMENDING SECTION 33-402, IDAHO CODE, TO PROVIDE THAT NOTICES CALLING FOR CERTAIN BIDS SHALL BE GIVEN IN A NEWSPAPER OF GENERAL CIRCULATION AS REQUIRED BY CHAPTER 1, TITLE 60, IDAHO CODE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 183
 BY EDUCATION COMMITTEE
 AN ACT**

RELATING TO SCHOOL BUILDING MAINTENANCE; AMENDING SECTION 33-1019, IDAHO CODE, TO PROVIDE FOR APPLICATION OF EXPENDITURES FOR SCHOOL BUILDING MAINTENANCE IN EXCESS OF A SPECIFIED PERCENTAGE AS A CREDIT AGAINST THE REQUIRED ANNUAL ALLOCATION FOR SCHOOL BUILDING MAINTENANCE, TO PROVIDE CORRECT TERMINOLOGY, TO CLARIFY USES OF ALLOCATED MONEYS, TO CLARIFY CALCULATION OF REPLACEMENT VALUE, TO REVISE THE DEFINITION OF "SCHOOL BUILDING" AND TO DEFINE "ANNUALLY"; AMENDING SECTION 39-8011, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 184
 BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO MINIMUM WAGE; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE MINIMUM WAGE PROVISIONS.

**HOUSE BILL NO. 185
 BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-404, IDAHO CODE, TO PROVIDE FOR ELECTOR SELECTION OF POLITICAL PARTY ON THE REGISTRATION CARD, TO PROVIDE FOR DUTIES OF

THE COUNTY CLERK IF SUCH SELECTION IS NOT MADE AND TO PROVIDE FOR ELIGIBILITY TO VOTE IN PRIMARY AND NONPARTISAN ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-404A, IDAHO CODE, TO PROVIDE PROCEDURES FOR QUALIFIED POLITICAL PARTIES TO PERMIT ELECTORS DESIGNATED AS INDEPENDENTS TO VOTE IN THAT PARTY'S PRIMARY ELECTION; AMENDING SECTION 34-406, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE A CODE REFERENCE; AMENDING SECTION 34-411, IDAHO CODE, TO PROVIDE FOR INFORMATION TO BE SUPPLIED BY AN ELECTOR WHO REQUESTS REGISTRATION, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-904, IDAHO CODE, TO PROVIDE FOR PRIMARY ELECTION PROCEDURE; AND TO PROVIDE SEVERABILITY.

**HOUSE BILL NO. 186
 BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO COMPUTER INFORMATION AGREEMENTS; AMENDING CHAPTER 1, TITLE 29, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 29-116, IDAHO CODE, TO PROVIDE THAT A CHOICE OF LAW PROVISION THAT WOULD RESULT IN THE APPLICATION OF THE UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT IS VOIDABLE, TO PERMIT OBJECTION TO THE APPLICATION OF THE UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT, TO PROVIDE THAT THE SECTION MAY NOT BE VARIED OR INVALIDATED BY AGREEMENT OF THE PARTIES AND TO DEFINE TERMS.

**HOUSE BILL NO. 187
 BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT**

RELATING TO UNCONVENTIONAL MOTOR VEHICLES; AMENDING SECTION 49-102, IDAHO CODE, TO REVISE THE DEFINITION OF "ALL-TERRAIN VEHICLE" OR "ATV"; AMENDING SECTION 49-105, IDAHO CODE, TO REVISE THE DEFINITION OF "DEALER" AND TO REVISE THE DEFINITION OF "ENDORSEMENT M -- MOTORCYCLE" UNDER THE DEFINITION OF "DRIVER'S LICENSE ENDORSEMENTS"; AMENDING SECTION 49-107, IDAHO CODE, TO DEFINE "FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS)" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-108, IDAHO CODE, TO PROVIDE A REFERENCE TO THE DEFINITION OF "GLIDER KIT VEHICLE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE THE DEFINITIONS OF "MOPED" AND "MOTORCYCLE," TO DEFINE "MOTORBIKE" AND "MOTOR-DRIVEN CYCLE" AND TO PROVIDE A REFERENCE TO THE DEFINITION OF "MULTIPURPOSE PASSENGER VEHICLE"; AMENDING SECTION 49-117, IDAHO CODE, TO PROVIDE A REFERENCE TO THE DEFINITION OF "PASSENGER CAR" AND TO PROVIDE A CORRECT CODE

REFERENCE; AMENDING SECTION 49-119, IDAHO CODE, TO PROVIDE REFERENCES TO THE DEFINITIONS OF "RECONSTRUCTED OR REPAIRED VEHICLE" AND "REPLICA VEHICLE"; AMENDING SECTION 49-120, IDAHO CODE, TO PROVIDE A REFERENCE TO THE DEFINITION OF "SALVAGE VEHICLE"; AMENDING SECTION 49-121, IDAHO CODE, TO PROVIDE A REFERENCE TO THE DEFINITION OF "TOTAL LOSS VEHICLE" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-123, IDAHO CODE, TO REVISE THE DEFINITION OF "MOTOR VEHICLE" UNDER THE DEFINITION OF "VEHICLE," TO DEFINE "REPLICA VEHICLE" AND TO CLARIFY PROVISIONS SPECIFIC TO ALL SPECIALLY CONSTRUCTED VEHICLES REQUIRED TO BE REGISTERED; AMENDING SECTION 49-201, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT REGARDING DESIGNATION OF SECTIONS OF STATE HIGHWAYS OVER WHICH CERTAIN VEHICLES MAY CROSS, TO SPECIFY CONDITIONS FOR OPERATION OF SUCH CERTAIN VEHICLES AND TO PROVIDE COSTS OF SIGNING; AMENDING SECTION 49-208, IDAHO CODE, TO AUTHORIZE LOCAL AUTHORITIES WITH HIGHWAY JURISDICTION TO ADOPT ORDINANCES DESIGNATING PAVED HIGHWAYS OR SECTIONS THEREOF FOR USE BY CERTAIN VEHICLES, TO AUTHORIZE SUCH LOCAL AUTHORITIES TO PROHIBIT CERTAIN VEHICLES FROM OPERATING ON UNPAVED ROADS OR PORTIONS THEREOF, TO PROVIDE CONDITIONS RELATING TO SUCH VEHICLES AND SUCH DESIGNATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-302, IDAHO CODE, TO CLARIFY THE EXEMPTION FROM OBTAINING A MOTORCYCLE ENDORSEMENT; AMENDING SECTION 49-402, IDAHO CODE, TO REQUIRE COMPLIANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARDS FOR REGISTRATION OF CERTAIN VEHICLES, TO CLARIFY REGISTRATION PROVISIONS RELATING TO MOTORCYCLES, MOTOR-DRIVEN CYCLES AND MOPEDS, TO PROVIDE FOR REGISTRATION OF ALL-TERRAIN VEHICLES AND TO PROHIBIT REGISTRATION AND OPERATION OF VEHICLES ON PUBLIC HIGHWAYS THAT DO NOT MEET FEDERAL MOTOR VEHICLE SAFETY STANDARDS; AMENDING SECTION 49-402B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-410, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY AND TO DELETE PROVISIONS THAT ARE NO LONGER APPLICABLE TO EXEMPTIONS; AMENDING SECTION 49-501, IDAHO CODE, TO CLARIFY TITLING REQUIREMENTS RELATING TO ALL-TERRAIN VEHICLES, MOTORBIKES, SNOWMOBILES, UTILITY TYPE VEHICLES AND MOPEDS; AMENDING SECTION 49-529, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-664, IDAHO CODE, TO PROVIDE FOR OPERATION OF MOPEDS ON PUBLIC HIGHWAYS; AMENDING SECTION

49-1606, IDAHO CODE, TO PROVIDE THAT A DEALER'S LICENSE PERMITS ENGAGING IN THE BUSINESS OF DEALING IN MOTOR-DRIVEN CYCLES, MOTORBIKES AND UTILITY TYPE VEHICLES; AMENDING SECTION 49-1608, IDAHO CODE, TO CLARIFY APPLICATION OF A DEALER'S LICENSE BOND; AMENDING SECTION 63-3606B, IDAHO CODE, TO CLARIFY THE DEFINITION OF "MOTOR VEHICLE" AS THE TERM APPLIES TO SALES TAX LAW; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE THE DEFINITION OF "ALL-TERRAIN VEHICLE (ATV)"; AND AMENDING SECTION 67-7122, IDAHO CODE, TO CLARIFY REGISTRATION OF ALL-TERRAIN VEHICLES, MOTORBIKES AND UTILITY TYPE VEHICLES BY THE DEPARTMENT OF PARKS AND RECREATION, TO DELETE REDUNDANT LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 188

BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO TAXATION OF MOTOR FUELS; AMENDING SECTION 63-2402, IDAHO CODE, TO PROVIDE THAT THE TAX LIABILITY FOR MOTOR FUELS IS THE RESPONSIBILITY OF THE RECEIVING DISTRIBUTOR, TO AUTHORIZE DISTRIBUTORS TO INCLUDE AN AMOUNT EQUAL TO THE TAX AS PART OF THE SELLING PRICE AND TO PROVIDE THE PROCESSES FOR REMITTANCE OF FUEL TAX WHEN THE DISTRIBUTOR, RETAILER OR CONSUMER IS EXEMPT FROM THE TAX LIABILITY; AMENDING SECTION 63-2407, IDAHO CODE, TO REVISE THE PROCESS FOR CLAIMING A DEDUCTION BASED ON THE NUMBER OF GALLONS RECEIVED BY THE DISTRIBUTOR DURING A REPORTING PERIOD AND TO DELETE DISTRIBUTOR DEDUCTION PROVISIONS RELATING TO TAXES PREVIOUSLY PAID ON WORTHLESS ACCOUNTS; AMENDING SECTION 63-2427A, IDAHO CODE, TO PROVIDE A CONDITION FOR ISSUANCE OF A DISTRIBUTOR'S LICENSE; REPEALING SECTION 63-2435, IDAHO CODE, PROVIDING THAT MOTOR FUEL TAXES ARE STATE MONEY; AMENDING CHAPTER 24, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2444, IDAHO CODE, TO PROVIDE FOR EFFECT OF TRIBAL AGREEMENTS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 189

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AMENDING SECTION 63-3501, IDAHO CODE, TO REVISE DEFINITIONS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3502B, IDAHO CODE, TO PROVIDE FOR A WIND ENERGY TAX; AMENDING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

63-3503B, IDAHO CODE, TO PROVIDE FOR THE FILING OF OPERATORS' STATEMENTS BY PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY, TO PROVIDE FOR THE COMPUTATION, ALLOTMENT AND APPORTIONMENT OF TAX DUE FROM PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY BY THE STATE TAX COMMISSION AND TO REQUIRE CERTAIN NOTIFICATIONS; AMENDING SECTION 63-3504, IDAHO CODE, TO AUTHORIZE COUNTY TREASURERS TO COLLECT SPECIFIED TAXES FROM PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3505, IDAHO CODE, TO PROVIDE FOR TAX LIENS ON PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3506, IDAHO CODE, TO PROVIDE FOR THE ASSESSMENT OF NONOPERATING PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602JJ, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM TAXATION FOR CERTAIN OPERATING PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 190
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-402, IDAHO CODE, TO SET FORTH A TAX FOR CONTRACTS FOR DENTAL CARE SERVICES AND DENTAL INSURANCE AND TO PROVIDE APPLICATION.

HOUSE BILL NO. 191
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO FEE INCREASES OF TAXING DISTRICTS; AMENDING SECTION 63-1311A, IDAHO CODE, TO PROVIDE THAT NO TAXING DISTRICT MAY MAKE A DECISION APPROVING A FEE INCREASE THAT IS IN EXCESS OF FIVE PERCENT OF THE AMOUNT OF THE FEE LAST COLLECTED OR A DECISION IMPOSING A NEW FEE UNLESS IT HOLDS A HEARING ON SUCH FEE INCREASE, TO PROVIDE FOR NOTICE OF ITS INTENT TO MAKE A DECISION ON A PROPOSED FEE INCREASE THAT IS IN EXCESS OF FIVE PERCENT OF THE AMOUNT OF FEES LAST COLLECTED AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 182, H 183, H 184, H 185, H 186, H 187, H 188, H 189, H 190, and H 191 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1057, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1047 and S 1048, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1062, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 85, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

S 1071, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that all bills on the Third Reading Calendar retain their places one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:15 a.m., Wednesday, February 14, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:58 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk